

## **REMARKS**

In the Office Action, the Examiner objected to the specification, and rejected claims 1-20 under the judicially created doctrine of obviousness-type double patenting. These rejections are fully traversed below. In addition, the Examiner found claims 21-30 to recite allowable subject matter.

Claims 1-30 remain pending. Reconsideration of the application is respectfully requested.

### **RETURN OF FORM PTO-1449**

Applicants filed an Information Disclosure Statement on April 5, 2004; however, the associated Form PTO-1449 has not been initialed and returned to the Applicants. It is respectfully requested that the Examiner return the Form PTO-1449 to Applicants as documentation that the references identified therein have been fully considered.

### **OBJECTION TO THE SPECIFICATION**

In the Office Action, the Examiner objected to the specification due to certain informalities pertaining to the cross-reference to related applications section. Applicants have amended the specification to clarify the status of the applications identified in the Cross-Reference to Related Applications section of the specification. Accordingly, it is respectfully requested that the Examiner withdraw the objection to the specification.

### **REJECTION OF CLAIMS 1 - 20 UNDER OBVIOUSNESS-TYPE DOUBLE PATENTING**

In the Office Action, the Examiner rejected claims 1 and 3 under the judicially created doctrine of obviousness-type double patenting in view of claim 15 of U.S. Patent No. 5,836,771; rejected claims 2 and 4-19 under the judicially created doctrine of obviousness-type double patenting in view of claims 1-9, 11-14, 28, 29, 32, 34, 35 and 37-39 of U.S. Patent No. 6,480,698; and rejected claim 20 under the

judicially created doctrine of obviousness-type double patenting in view of claim 75 of U.S. Patent No. 6,501,937. In order to obviate this rejection and thereby expedite prosecution, submitted together herewith is a terminal disclaimer that disclaims the terminal portion of any patent that should issue from this application that would extend beyond the term of U.S. Patent No. 5,836,771; 6,480,698 or 6,501,937. However, it should be noted that Applicants do not agree, acquiesce or otherwise admit that the rejection of these claims under the judicially created doctrine of obviousness-type double patenting is or would be proper. In any case, it is respectfully requested that the Examiner withdraw the rejection of claims 1-20 under the judicially created doctrine of obviousness-type double patenting.

### **SUMMARY**

Applicant believes that all pending claims are allowable and respectfully requests an early Notice of Allowance for this application from the Examiner. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. PROQP001C5).

Respectfully submitted,  
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